Codex Alimentarius Commission

Rosanna Mentzer Morrison
(202) 447-6363

The Codex Alimentarius Commission—Latin for "code concerned with nourishment"—was set up by the Food and Agricultural Organization (FAO) and the World Health Organization (WHO) in 1962 to negotiate agreements from 122 member countries on international standards and safety practices for foods. These standards and practices are designed to protect consumers against health hazards and fraud, ensure fair practices in the food trade, and facilitate international trade in foods. The Codex standards are minimum safety and hygiene levels that countries voluntarily apply to their exports and imports of commodities directly consumed by humans.

Membership on the Commission is open to all countries that are members or associate members of FAO or WHO. Other countries that are members of the United Nations are allowed to attend Commission meetings as observers. Government officials and industry people from member countries attend the biennial sessions and express their views.

The Commission has 27 committees to draft Codex standards. The six general subject committees deal with permitted and prohibited food additives, limits for pesticide residues, food hygiene, food labeling, methods of analyzing and sampling foods to verify the provisions in Codex standards, and general principles for the Commission. Seventeen commodity committees develop standards for specific groups of foods. Four regional coordinating committees work with groups of countries to promote sharing of food inspection techniques and to establish regional standards for products important to the regions. The United States presently chairs three committees: Food Hygiene; Processed Fruits and Vegetables; and Cereals, Pulses and Legumes.

Developing Standards

Developing food standards and codes of practice is an eight-step process to final approval by the Commission. The Commission, or one of its committees, first decides that a food product by virtue of its volume of production, consumption, and international trade needs a world standard because consumers are vulnerable to health hazards or fraud. The Commission also develops standards for foods such as mangoes and palmito (palm hearts) that are important mainly to developing countries. The Commission also considers whether the food can be standardized, and if different national practices and regulations have impeded international trade.

After the Commission decides that a food product needs a world standard, it directs the appropriate committee to prepare a draft stipulating ingredients, quality, hygienic and labeling requirements, food additives, adulteration limits, and sampling and analysis methods. The proposed draft standard is sent to the member countries for comment. The committee considers the comments and suggestions, incorporates those it agrees

with, and resubmits the proposal to the countries for additional comment. After a second discussion, the committee forwards it to the Commission. If the Commission approves the proposal, it is finalized as a Codex Alimentarius Standard or Code of Practice and submitted to member governments for acceptance.

The Commission invites member governments to adopt Codex standards and codes, but it does not try to influence how governments adopt or enforce regulations. Since its inception, the Commission has distributed 128 standards for acceptance covering infant foods, fruit juices, processed fruits and vegetables, quick frozen foods, fish products, cocoa products and chocolate, nutritive sweeteners, fats and oils, meat products, edible ices (ice cream and ice milk), and milk products.

Member governments can fully accept these Codex commodity standards, issue a target acceptance, accept with specified deviations, or not accept. With a target acceptance, a country states its intention to accept the standard after a stated number of years and, in the meantime, allow imported products meeting those standards to be distributed in the country. As of July 1981, 64 countries had responded to one or more of the 128 standards, for a total of 511 full acceptances, 149 target acceptances, and 148 acceptances with specified deviations.

Adopting a Codex standard is a complicated process in most developed countries. In the United States, the Food and Drug Administration (FDA) has mandatory standards of identity, minimum quality, and fill of container standards (accurate net weight requirements and no excessive empty space in containers) for domestic and imported food products. USDA sets standards for meat and poultry products, and develops voluntary quality standards for meat, poultry, eggs, grains, dairy products, and fresh and processed fruits and vegetables. The U.S. Department of Commerce has a similar program for fish products.

The Codex standards are more inclusive than the U.S. standards. In addition to formulation standards, minimum quality, and fill requirements, the Codex standards also list specific requirements for the product's label, hygienic requirements, contaminant levels, and analytical methods to verify these standards. These requirements do not appear in U.S. food standards but are in other parts of our food and environmental regulations. If FDA or USDA were to revise a current standard to match the Codex standard, more restrictions might have to be placed on the food product. At the same time, since Codex standards are for minimum quality and safety, FDA or USDA might have to relax some of their standards for imports and domestic food products. FDA and USDA must examine the effects of tightening or relaxing a standard to determine whether consumers and producers would benefit and whether costs for manufacturers and prices for consumers would change. Before making a final decision, FDA and USDA must solicit public comments through a Federal Register notice. Similiar considerations and procedures would be used for adopting a standard for a food product not currently regulated by FDA or USDA.

The FDA has completed action on 41 of the 128 Codex standards that have been submitted to governments for acceptance. Another 14 standards are involved in FDA's rulemaking process. Sometimes the Codex standards are not compatible with our agricultural practices, or they are considered too subjective to be legally enforced in the United States. For these reasons, the FDA has not fully accepted any of the Codex standards, but has accepted 19 with specified deviations.

USDA has responsibility for nine Codex standards dealing with cured meat products or edible fats. USDA has not accepted any of the Codex standards regarding these products. U.S. laws only allow meat and poultry products made in foreign plants that have inspection programs equal to our own to be sold in this country. Therefore, foreign inspection programs must also be approved before a meat or poultry product can be imported into the United States.

Member governments also have the option of not accepting a Codex standard for a certain product, but allowing any such product that meets the Codex standard to be sold in their countries. Since Codex standards are internationally agreed upon, countries that require imports to meet these standards cannot be accused of unjustifiably impeding trade. The United States has adopted this alternative for 22 food products.

The Codex Alimentarius Commission has also written 45 Codes of Hygienic and/or Technological Practice for Foods. These codes are especially helpful for developing countries trying to ensure proper processing and hygenic quality of their food supply. The codes are used to train food inspectors, processors, and handlers throughout the world. The Commission's "Code of Ethics for International Trade in Food," aimed at preventing unsafe and substandard food from entering world trade, was issued to governments in 1981.

Food Additives and Pesticide Residues

In the areas of food additives and pesticide residues, the Commission has been very active. The Commission has evaluated the safety of nearly 400 food additives and recommended maximum levels for them in foods. Through 1981, the Codex Committee on Pesticide Residues (CCPR) looked at maximum residue levels for 122 pesticides in a wide variety of foods, resulting in about 1,700 Codex proposals for tolerance levels.

Countries have three options for accepting maximum pesticide residue limits: full acceptance, where a government agrees to apply the CCPR tolerance to both imported and exported foods; limited acceptance, where a government will apply the tolerance only to imported foods but cannot apply a more stringent, lower tolerance to imports than to exports; and target acceptance, where a government states that it will give full or limited acceptance at some future date.

There are also three categories of nonacceptance: nonacceptance/free distribution—products complying with the

CCPR tolerance may be distributed freely in the country; nonacceptance/-conditional distribution—products complying with the tolerance may be distributed under certain conditions within the country; and nonacceptance/no distribution—products complying with the tolerance cannot be distributed in the country.

The U.S. Environmental Protection Agency (EPA), which sets pesticide residue limits in foods, has examined 883 Codex proposals that affect U.S. tolerances for 1,489 chemical/food product combinations. The EPA has fully accepted 20 percent of the CCPR tolerance proposals, most of which match current U.S. tolerance levels, and has given 37 percent nonacceptance/free distribution status. The Codex tolerances in this category are lower (more strict) than their U.S. counterparts, and while we do not require our domestically produced foods to have this lower level of pesticide residue proposed by the CCPR, the EPA found no reason to keep these foods out of the United States. Nonacceptance with free distribution promotes the Commission's goal of easing international trade because foods with this status that meet the CCPR tolerance would not be barred from a country.

The EPA has given 8 percent of the CCPR tolerances nonacceptance/ conditional distribution, and the remaining 35 percent have nonacceptance/no distribution status. This last set of tolerances was rejected either because EPA did not agree with them, or because the food product is not sold in the United States.

CCPR tolerances can differ from U.S. tolerances, or maximum residue levels, because of different agricultural practices underlying the two tolerances. The EPA has set U.S. tolerances to indicate what the agency considers the proper use of pesticides, and raising U.S. tolerances may not preserve this watchdog feature. Lowering a tolerance may require U.S. farmers to change their pesticide use. The EPA tries to comment on each of the 200 to 300 tolerance proposals that are drafted each session and present supporting or challenging data to the CCPR.

The Commission has also studied food irradiation—a process where food is deinfested or sterilized by exposure to gamma rays or X-rays (see "Food Irradiation Hinges on Approval, Feasibility, and Acceptance" in *NFR*-20). In 1979, the Commission adopted a General Standard for Irradiated Foods, and a Code of Practice for Operating Food Irradiators.

Developing Countries

The work of the Codex Alimentarius Commission is especially valuable to developing countries that have ineffective or minimal domestic food safety and quality programs. The hygiene practices and handling and storage techniques recommended by the Commission would reduce some of the spoilage losses developing countries experience. Inadequate hygiene practices in food processing and handling can also cause importing countries to reject the developing country's products. If developing countries guarantee that their food exports meet the standards and codes of practice recommended by the Commission, importers are assured of the foods' composition and quality.

Without laws regulating the quality and safety of imported foods, these developing countries are vulnerable targets for inferior and unfit foods. Developing countries use the Codex codes of practice to train food inspectors to catch adulterated foods. International standards for safe and wholesome foods would lessen the incidence of this inferior food dumping. For these and other reasons, developing countries constituted the majority of countries initially accepting Codex standards.

International food standards also ease trade between countries by removing national differences in formulations and labeling that block trade. Exporters selling food products tailored to the standards and requirements of one country cannot easily reformulate their products for sale to a country with a different set of requirements. In this way, exporters are prevented from quickly responding to world market conditions.

Some exporting countries complain that the developed countries are not adopting the Codex standards quickly enough. The stricter standards of developed countries serve as nontariff barriers for imported food products that might take away sales from domestic producers. Countries with protected agricultural sectors may be hesitant to relinquish their nontariff barriers. If a country is subsidizing domestic producers by buying excess food products, it does not want cheaper imports to displace domestic food products and add to the amount it must purchase.

Much of the initial work of the Commission is nearing completion as the committees finish developing standards for foods that need world models. Six committees have adjourned without fixing a date for their next meeting. Other committees are working on the more exotic, low-volume foods. Now the work of the Codex Alimentarius Commission is to encourage countries to adopt the Codex standards and codes of practice. The Commission must also amend published standards when new technological advances or discoveries warrant.□

References

Codex Alimentarius Commission Procedural Manual, fifth edition, issued by the Secretariat of the Joint FAO/WHO Food Standards Programme, FAO, Rome, Italy, 1981.

Interviews with Gerald Parlet, Agricultural Marketing Service, USDA, and Fred Ives, Office of Pesticide Programs, EPA, November and December 1982.

Kimbrell, Eddie F. "Codex Alimentarius Food Standards and Their Relevance to U.S. Standards," *Food Technology*, Vol. 36, No. 6 (June 1982) pp. 93-95.

U.S. Department of Health and Human Services, Food and Drug Administration. *FDA By-lines*, Ed. Helen L. Reynolds. Vol. 12, No. 2 (April 1982).